

Before the Board of Zoning Adjustment, D. C.

Application No. 11990, of Myrtle Palmer, pursuant to Section 8207.1 of the Zoning Regulations for a variance from the side yard requirements (Section 3305) to permit an addition to a dwelling in the R-1-B District at the premises 6721 Piney Branch Road, N. W. (Square 3167, Lots 43 and 44).

HEARING DATE: December 17, 1975

DECISION DATE: January 14, 1976

FINDINGS OF FACT:

1. The subject property is located in a R-1-B District.
2. The existing structure located on the subject premises is a two-story single family dwelling, built approximately 50 years ago, a use permitted as a matter-of-right.
3. The present lot is non-conforming as to area and width, but conforms as to lot occupancy.
4. The present structure has a non-conforming side yard on both sides, 8 feet being required and 5 feet provided on the north and 7 on the south.
5. The proposed one (1) story addition would extend six (6) feet to the rear of the existing structure but would not project into the required rear yard.
6. The north wall of the addition would be on the same line as the north wall of the existing dwelling, but would extend three (3) feet into the required side yard.
7. The addition will be faced with the same material as the remainder of the house.
8. The addition will contain a bedroom to be used by the occupant of the house, who has been advised by her

Doctor to avoid going up and down the steps so as not to aggravate an arthritic condition.

9. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW:

The Board concludes that the use is an area variance, requiring a showing of practical difficulty in order to grant the application. The Board also concludes that the degree of structural non-conformity will not be increased by the proposed application. The Board concludes that the applicant would suffer a practical difficult injurious to her health if the subject application is denied. The Board therefore, orders that the subject application be GRANTED.

VOTE: 3-0 (Dr. Lewis and Mr. Harps to grant, Mr. McCants to grant by proxy, Lilla Burt Cummings, Esq., not present to vote and Mr. McIntosh abstaining, not having heard the case.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: Steven E. Sher

STEVEN E. SHER

Acting Secretary to the Board

FINAL DATE OF ORDER: **FEB 26 1976**

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.